

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

#### RESOLUTION NO. Z-14-04

WHEREAS, **PRECISION BODY & EQUIPMENT CORP.** had applied to Community

Zoning Appeals Board 8 for the following:

- (1) BU-3 to IU-1
- (2) SPECIAL EXCEPTION to permit site plan approval for an industrial development.
- (3) SPECIAL EXCEPTION of spacing requirements to permit a truck body repair shop spaced less than the required 500' from a residentially zoned district to the west.
- (4) NON-USE VARIANCE OF ZONING REQUIREMENTS requiring all manufacturing, rebuilding, storing or renovating operations in the IU district to be confined and completely enclosed within a masonry wall not less than 6' in height; to waive same to permit outdoor storage of truck mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall, and to permit storage above the height of the fence (not permitted).
- (5) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 30 parking spaces (44 required).
- (6) NON-USE VARIANCE OF LANDSCAPE REQUIREMENTS to permit 33 lot trees (56 required), 9 street trees (15 required), 420 shrubs (710 shrubs required) and a maximum lawn area of 93,844 sq. ft. (3,934.44 sq. ft. permitted).

Plans are on file and may be examined in the Zoning Department entitled "As Built Plans Stefan Lund 3755 N.W. 30 Av., Miami, FL 33142," as prepared by Giorgio Balli, A.I.A., dated signed and sealed 7/9/01 and consisting of 2 sheets and landscaping plans entitled "Precision Auto Stefan Lund 3755 N.W. 30 Avenue, Miami, FL," as prepared by Neitzel Design Group, dated 7/23/01 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: All of Tract "A", NORANTONIO ACRES, Plat book 127, Page 57.

LOCATION: 3755 N.W. 30 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to

the matter it was the opinion of Community Zoning Appeals Board 8 that the requested district boundary change to IU-1 (Item #1), special exceptions (Items #2 & 3), and that portion of the portion of the requested non-use variance of zoning requirements, as modified to permit outdoor storage of truck mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall along the north, south and east property lines only (Item #4) should be approved, and that the portion of the requested non-use variance of zoning requirements to permit storage above the height of the fence (Item #4), the non-use variance of parking requirements (Item #5) and the non-use variance of landscape requirements (Item #6) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and should be denied, and said application was denied in part by Resolution No. CZAB8-35-01, and

*WHEREAS*, **PRECISION BODY & EQUIPMENT & BODY CORP.** appealed the decision of Community Zoning Appeals Board 8 for the following:

- (1) BU-3 to IU-1
- (2) SPECIAL EXCEPTION to permit site plan approval for an industrial development.
- (3) SPECIAL EXCEPTION of spacing requirements to permit a truck body repair shop spaced less than the required 500' from a residentially zoned district to the west.
- (4) NON-USE VARIANCE OF ZONING REQUIREMENTS requiring all manufacturing, rebuilding, storing or renovating operations in the IU-1 zone to be confined and completely enclosed within a masonry wall not less than 6' in height; to permit outdoor storage of truck-mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall, and to permit storage above the height of the fence (not permitted).
- (5) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 30 parking spaces (44 required).
- (6) NON-USE VARIANCE OF LANDSCAPE REQUIREMENTS to permit 33 lot trees (56 required), 9 street trees (15 required), 420 shrubs (710 shrubs required) and a maximum lawn area of 93,844 sq. ft. (3,934.44 sq. ft. permitted).

Plans are on file and may be examined in the Zoning Department entitled "As Built Plans Stefan Lund 3755 N.W. 30 Av., Miami, FL 33142," as prepared by Giorgio Balli, A.I.A., dated signed and sealed 7/9/01 and consisting of 2 sheets and landscaping plans entitled "Precision Auto Stefan Lund 3755 N.W. 30 Avenue, Miami, FL," as prepared by Neitzel Design Group, dated 7/23/01 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: All of Tract "A", NORANTONIO ACRES, Plat book 127, Page 57.

LOCATION: 3755 N.W. 30 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the entire appeal and the underlining application, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 8 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the request to withdraw the entire appeal and the underlining application should be granted, and that the CZAB8-35-01 should be vacated, and

WHEREAS, a motion to grant the withdrawals of the entire appeal and the underlining application without prejudice and to vacate CZAB8-35-01 was offered by Commissioner Dorrin D. Rolle, seconded by Commissioner Joe A. Martinez, and upon a poll of the members present the vote was as follows:

|                   |        |                 |        |
|-------------------|--------|-----------------|--------|
| Bruno A. Barreiro | absent | Dennis C. Moss  | aye    |
| Jose "Pepe" Diaz  | aye    | Dorrin D. Rolle | aye    |
| Betty T. Ferguson | aye    | Natacha Seijas  | aye    |
| Sally A. Heyman   | absent | Katy Sorenson   | nay    |
| Joe A. Martinez   | aye    | Rebeca Sosa     | aye    |
| Jimmy L. Morales  | aye    | Javier D. Souto | absent |

Chairperson Barbara M. Carey-Shuler          absent

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, and that the requests to withdraw the entire appeal and underlining

application be and the same is hereby granted, and said appeal and underlining application are hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED* that Resolution CZAB8-35-01 is hereby vacated.

The Director is hereby authorized to make the notations upon records of the Miami-Dade County Department of Planning and Zoning.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 15<sup>th</sup> day of April, 2004, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 01-12-CZ8-2  
ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By \_\_\_\_\_  
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 23<sup>RD</sup> DAY OF JUNE, 2004.

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

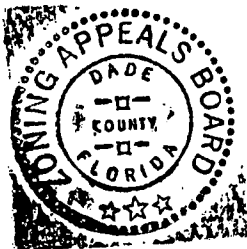
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-14-04 adopted by said Board of County Commissioners at its meeting held on the 15<sup>th</sup> day of April, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 23<sup>rd</sup> day of June, 2004.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

SEAL



MIAMI-DADE COUNTY, FLORIDA



DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

- 111 NW 1 STREET, SUITE 1210  
MIAMI, FLORIDA 33128  
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

- 11805 S.W. 26 Street  
MIAMI, FLORIDA 33175
- IMPACT FEE SECTION  
(786) 315-2670 • SUITE 145
- ZONING INSPECTION SECTION  
(786) 315-2660 • SUITE 223
- ZONING PERMIT SECTION  
(786) 315-2666 • SUITE 106
- ZONING PLANS PROCESSING SECTION  
(786) 315-2650 • SUITE 113

June 15, 2004

Precision Body & Equipment Corp.  
c/o Jerry Proctor  
2500 First Union Financial Center  
Miami, FL 33131

Re: Hearing No. 01-12-CZ8-2  
Location: 3755 N.W. 30 Avenue,  
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-14-04, adopted by the Board of County Commissioners, which granted the withdrawal of the entire application and the under lining application without prejudice on the above described property.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosures